

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

CARL A. MARTIN,

Plaintiff,

vs.

SCOTT FRAKES, Official Capacity,  
Individual Capacity; ADAM CROP,  
Official Capacity, Individual Capacity;  
BRIAN GAGE, Official Capacity,  
Individual Capacity; CHELSEA  
GUFFRIE, Official Capacity, Individual  
Capacity; and PAUL TOMPKINS,  
Official Capacity, Individual Capacity;

Defendants.

**8:17CV253**

**MEMORANDUM  
AND ORDER**

This matter is before the court on case management. The Federal Rules of Civil Procedure require that a defendant serve an answer to a complaint “within 21 days after being served with the summons and complaint.” [Fed. R. Civ. P. 12\(a\)](#).

The Clerk of the court issued a summons under seal to Defendant Chelsea Guiffre on September 25, 2017. ([Filing No. 12 at CM/ECF pp.3–4.](#)) On October 19, 2017, that summons was returned as executed. ([Filing No. 16.](#)) Although served, Defendant has not filed an answer or any other responsive pleading. Because the summons is sealed, Ms. Stephanie A. Caldwell and the Nebraska Attorney General’s Office—counsel for all of the other defendants—may be unaware that Chelsea Guiffre was served. Accordingly,

IT IS ORDERED:

1. Plaintiff shall have until January 26, 2018 to file a motion for default judgment against Defendant Chelsea Guiffre. Such motion shall fully comply with [Federal Rule of Civil Procedure 55](#) and Nebraska Civil Rule [55.1](#).

2. The clerk of the court is directed to set a pro se case management deadline in this case using the following text: January 26, 2018: deadline for filing motion for default judgment against Defendant Chelsea Guiffre.

Dated this 26<sup>th</sup> day of December, 2017.

BY THE COURT:

*s/ Richard G. Kopf*  
Senior United States District Judge